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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,776	08/17/2006	Chojiro Kuriyama	10921.0424USWO	2298

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HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS, MN 55402-0902

EXAMINER

HA, NGUYEN T

ART UNIT	PAPER NUMBER
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2831

MAIL DATE	DELIVERY MODE
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01/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/589,776

Applicant(s)

KURIYAMA, CHOJIRO

Examiner

Nguyen T. Ha

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 11 and 12 is/are rejected.
- 7) ☒ Claim(s) 5-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 0806.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Shirashige et al. (US 6,467,142).

Regarding claim 1, Shirashige et al. disclose a solid electrolytic capacitor comprising:

- a porous sintered body (4) of valve metal;
- an internal anode terminal (8) projecting from the porous sintered body;
and
- an external anode terminal (14) positioned lower than the internal anode terminal and having a bottom surface utilized for surface-mounting (figure 1A);
- wherein the internal anode terminal is provided at a position lower than a center of the porous sintered body in a height direction (figure 1A).

Regarding claim 2, Shirashige et al. disclose the porous sintered body comprises plurality of flat sintered elements, and the sintered elements are laminated in a thickness direction with each of the elements standing (figure 1A).

Regarding claim 3, Shirashige et al. disclose a cathode metal plate (12) which is bonded to a lower surface of the porous sintered body and at least part of which serves as an external cathode terminal, wherein a bottom surface of the external anode terminal and a bottom surface of the external cathode terminal are flush with each other (figure 1A).

Regarding claim 4, Shirashige et al. disclose the cathode metal plate includes a center portion, and an end portion serving as the external cathode terminal, wherein a stepped portion is provided between the center portion and the end portion, and wherein the center portion includes an upper surface bonded to the porous sintered body and a lower surface covered by resin (figure 1A).

Regarding claim 11, Shirashige et al. disclose the porous sintered body includes an upper surface and a bottom surface spaced from each other in the height direction, and wherein the internal anode terminal is embedded in the porous sintered body in contact with the bottom surface (figure 1A).

Regarding claim 12, Shirashige et al. disclose the porous sintered body includes an upper surface and a bottom surface spaced from each other in the height direction, and wherein the internal anode terminal is fixed to the bottom surface from outside of the porous sintered body (figure 1A).

Allowable Subject Matter

Claims 5-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With respect to claims 5-10, the prior art alone or in combination does not teach the limitation of the internal anode terminal comprises a first anode wire and a second anode wire, and wherein the first anode wire and the second anode wire project from the porous sintered body in different directions from each other.

Citation Relevant of Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Kida et al. (US 6,816,358) disclose chip-type solid electrolytic capacitor having a terminal of a unique shape and method of producing the same.
- b. Kuramuki et al. (US 6,343,004) disclose solid electrolytic capacitor.
- c. Nitoh et al. (US 6,249,424) disclose monolayer capacitor element and solid electrolytic multilayer capacitor.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen T. Ha whose telephone number is 571-272-1974. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NGUYEN T. HA
PRIMARY EXAMINER

NH

January 22, 2008